

LEGISLATURE OF THE STATE OF IDAHO
Sixty-second Legislature Second Regular Session - 2014

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 456, As Amended in the Senate

BY JUDICIARY, RULES, AND ADMINISTRATION COMMITTEE

AN ACT

RELATING TO COUNTY JAILS; AMENDING SECTION 20-237A, IDAHO CODE, TO INCREASE
A CERTAIN MINIMUM RATE THAT THE STATE BOARD OF CORRECTION IS REQUIRED
TO PAY COUNTIES HOUSING STATE SENTENCED PRISONERS, TO PROVIDE A CORRECT
CODE REFERENCE AND TO MAKE TECHNICAL CORRECTIONS.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Section 20-237A, Idaho Code, be, and the same is hereby
amended to read as follows:

20-237A. FUNDING PER DIEM COSTS OF STATE PRISONERS HOUSED IN COUNTY
JAILS, RELATED ADDITIONAL EXPENSES AND MANNER OF PAYMENT. (~~a~~1) The board of
correction shall pay each county for housing prisoners convicted, sentenced
and committed to the custody of the state board of correction, beginning on
the day after receipt by the director of notice that a person is in custody,
as provided in section 20-237, Idaho Code.

(~~b~~2) The state board of correction shall pay counties housing state
sentenced prisoners a minimum rate of forty-five dollars (\$~~40~~5.00) per day,
per inmate. Nothing stated herein will prohibit the state board of correc-
tion from entering into a contract with a county pursuant to section 20-241,
Idaho Code.

(~~e~~3) In addition to payment of per diem costs as above provided, the
state board of correction shall pay for all ordinary and necessary medical
and dental expenses of state prisoners housed in county jails.

(~~d~~4) As between themselves, the state board of correction and each of
the counties will be responsible for their pro rata share of any property
damages or personal injuries arising from the housing of state sentenced
prisoners, which is attributable to their respective negligence or oth-
erwise wrongful conduct. This provision shall not alter or affect any
immunities or exceptions to governmental liability the state or counties may
possess as to private persons pursuant to the Idaho tort claims act, ~~sections~~
~~6-901, et seq.~~ chapter 9, title 6, Idaho Code.

(~~e~~5) The legislature shall appropriate sufficient funds annually to
the department of correction to make all payments to counties as required in
this section.

(~~f~~6) The county sheriffs shall bill the department of correction at
least every sixty (60) days. The department of correction shall pay such
bills within sixty (60) days of their receipt.

(~~g~~7) The germane committees of the legislature shall review the costs
of housing inmates in county jails every three (3) years beginning in 2004.